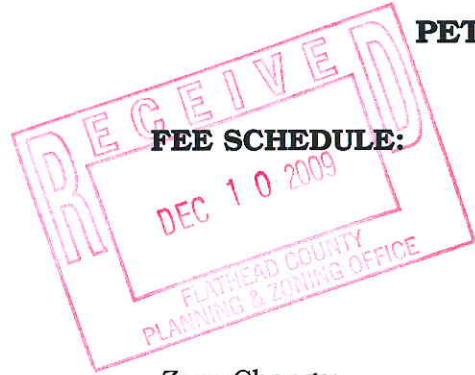


Flathead County Planning & Zoning Office  
1035 1<sup>st</sup> Avenue West  
Kalispell, MT 59901  
Phone: (406) 751-8200 Fax: (406) 751-8210

**PETITION FOR ZONING AMENDMENT**



**FEE SCHEDULE:**

42.48 acres x \$35 = \$ 1486.80  
Base fee = \$ 840.00

**\$2326.80**  
(Mailing costs: **\$20.00**)  
**\$2346.80**  
=====

Zone Change:  
Base Fee..... \$840  
First 80 acres..... \$35/acre  
Addition acres above 80..... \$20/acre  
Amendment to Zoning Text..... \$500

\*Add \$4 per address (see certified list) to cover adjoining landowner mailing costs.

**APPLICANTS:**

1. NAME: A. **Schlegel, Louis W. (Bill)**  
**177 Parker Lakes Road**  
**Bigfork, MT 59911**
- B. **Schlegel, Mark S.**  
**PO Box 998**  
**Bigfork, MT 59911**
- C. **Boll, Jeff and Danielle**  
**PO Box 2543**  
**Bigfork, MT 59911**

4. INTEREST IN PROPERTY: Owners  
5. ZONING MAP AMENDMENT: XX ZONING TEXT AMENDMENT: \_\_\_\_\_

**TECHNICAL/PROFESSIONAL PARTICIPANTS:**

Name, Address, Phone: Sands Surveying, Inc., 2 Village Loop, Kalispell, MT  
59901 755-6481

**IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE TEXT OF THE ZONING REGULATIONS, PLEASE COMPLETE THE FOLLOWING:**

A. What is the proposed zoning text/map amendment?  
**CHANGING THE BIGFORK ZONING FROM AN AG-20 DESIGNATION TO A SAG-5 DESIGNATION.**

**IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE ZONING MAP PLEASE COMPLETE THE FOLLOWING:**

A. Address of the property: **A. LOUIS SCHLEGEL'S PROPERTY IS LOCATED AT 177 PARKER LAKES DRIVE, BIGFORK.**

Legal Description: **Tracts 3H and 3E in 11-27-20**  
Total acreage: **19.88 acres**

**B. MARK SCHLEGEL'S PROPERTY IS LOCATED AT 225 PARKER LAKES DRIVE, BIGFORK**

Legal Description: **Tracts 3 and 3F in 11-27-20**  
Total acreage: **17.96 acres**

**C. JEFF AND DANIELLE BOLL'S PROPERTY IS LOCATED AT 317 PARKER LAKES DRIVE**

Legal Description: **3C in 12-27-20**  
Total acreage: **4.64 acres**

**TOTAL ACREAGE OF PROPOSAL: 42.48**

**The present zoning of the above properties is the BIGFORK Zoning District, designated AG-20.**

E. The proposed zoning of the above property is: **SAG-5, Suburban Agricultural**

F. State the changed or changing conditions that make the proposed amendment necessary: **The property owners would like to be able to better manage their real estate options. For example, Mr. Schlegel has a daughter that is living out-of-state that would like to return home to Montana. He would like the option to give her ten acres. As his property is slightly less than twenty acres in size, a SAG-5 designation is being sought.**

**HOW WILL THE PROPOSED CHANGE ACCOMPLISH THE INTENT AND PURPOSE OF:**

A. Promoting the Master plan **This proposal is in compliance with the newly adopted Bigfork Neighborhood Plan. The property is noted as "Agricultural" and the SAG-5 designation falls into this category.**

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B. Lessening congestion in the streets and providing safe access There is an existing access onto Highway 35 for the subject properties as a private road: "Parker Lakes Drive". Parker Lakes Drive is a crushed asphalt, private roadway with a Road Users Agreement under discussion. This private road has been in existence for many years.

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C. Promoting safety from fire, panic and other dangers The SAG-5 zone would allow for the creation of three additional tracts. The SAG-5 designation allows for a minimum lot size of 5 acres. There are areas where there are trees on the property as well as open meadows. There are several ponds throughout the entire proposal area. The road is of adequate width and devoid of steep grades to allow emergency vehicles' access. Most of the property is designated as being in the Wildland Urban Interface. The Bigfork Quick Response Unit is under five miles away, travelling on state highway for the majority of the trip. Setbacks and required minimum lot sizes, the variety of terrain, distance to emergency vehicles, good access and proximity to water sources all contribute to lessening danger and promoting safety from fire and panic.

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D. Promoting the public interest, health, comfort, convenience, safety and general welfare This zoning proposal is compatible with the existing uses that surround the subject property. It appears that there may be an interest in properties that are less than twenty acres in size in this rural setting versus purchasers for larger tract land. Mr. Schlegel will continue to utilize his property for large-lot residential and pasture. Allowing for five acre minimum lot sizes promotes the overall goals of the Bigfork Neighborhood Plan for

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E. Preventing the overcrowding of land The setbacks and the minimum five acre lot size prevent the overcrowding of land. Should a cluster or PUD project ever be proposed on the site, (which there are no plans for at this time), a minimum of one acre lot size would still be required until the installation of public sewer and water and additional zone changes were adopted.

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F. Avoiding undue concentration of population. See above.

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G. Facilitating the adequate provision of transportation, water, sewage, schools, parks and other public facilities The subject property is in close proximity to a major transportation network that provides access to

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Bigfork and Kalispell environs. The developed tracts within the proposal area contain individual septic systems and wells, which are appropriate for the proposed zone change minimum lot size. Public water and sewer are not available to this location at the current time, nor are there plans to extend the mains out to this area in the near future. Children from these properties would attend Bigfork Public Schools, a district where the population of students is decreasing. As the lot sizes are generous in size, distance to public parks is an amenity not a necessity, but Sliter's Park in "downtown" Bigfork is available, as is Glacier National Park, and several access locations on Flathead Lake.

H. Giving reasonable consideration to the character of the district The existing character of the surrounding land use is typical of the proposed zone change request. Two sides of the subject properties are bordered by existing SAG-5 zoning, so there will be no noticeable change of use. It is anticipated that only three additional tracts would be able to be created with this proposal as there are five tracts currently.

I. Giving consideration to the peculiar suitability of the property for particular uses As the property is currently being utilized for large-tract rural residential, the zone matches the existing use and is well suited for it. The varying terrain, availability of building sites, good soils for supporting home and septic field construction, the mix of timbered and open meadows, and pond sites all promote an area lovely for Montana homesites.

J. Protecting and conserving the value of buildings This zone change will not be detrimental to the value of existing or surrounding buildings.

K. Encouraging the most appropriate use of land by assuring orderly growth The SAG-5 by the very definition is a buffer between large-lot agricultural and denser "urban" lots. As these properties are located on the fringe area of Bigfork, the zoning designation is appropriately acting as a buffer and assuring an orderly growth pattern as laid out by the Bigfork Steering Committee and their Neighborhood Plan.

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# Flathead County

## Planning & Zoning

1035 1<sup>st</sup> Ave W, Kalispell, MT 59901  
Telephone 406.751.8200 Fax 406.751.8210

### PETITION FOR ZONING AMENDMENT

Submit this application, all required information, and appropriate fee (see current fee schedule)  
to the Planning & Zoning office at the address listed above.

FEE ATTACHED \$ \_\_\_\_\_

#### APPLICANT:

1. Name: Louis D. Schlegel Phone: 406-753-1128
2. Mail Address: 177 Parker Lakes Rd. 261-8378
3. City/State/Zip: Bigfork MT 59911
4. Interest in property: \_\_\_\_\_
5. Zoning Map Amendment: \_\_\_\_\_ Zoning Text Amendment: \_\_\_\_\_

#### TECHNICAL/PROFESSIONAL PARTICIPANTS:

- ✓ Name: Mr. & Mrs. J. Bell Address: 371 Parker Lakes Rd.  
Phone: 752-5308 Email: Thebells@centurytel.net  
Name: Mark Schlegel Address: 225 Parker Lakes Rd  
Phone: 261-5606 Email: \_\_\_\_\_

#### IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE TEXT OF THE ZONING REGULATIONS, PLEASE COMPLETE THE FOLLOWING:

- A. What is the proposed zoning text/map amendment?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE ZONING MAP PLEASE COMPLETE THE FOLLOWING:

- A. Address of the property: \_\_\_\_\_  
B. Legal Description: \_\_\_\_\_  
(Lot and Block of Subdivision; Tract #)  
\_\_\_\_\_  
Section Township Range (Attach sheet for metes and bounds)  
C. Total acreage: \_\_\_\_\_

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The signing of this application signifies approval for FCPZ staff to be present on the property for routine monitoring and inspection during approval process.

Lewis E. Schlegel      12-10-09  
Owner Signature      Date  
*(see 1st page for other signatures)*

**APPLICATION PROCESS**

**APPLICABLE TO ALL ZONING APPLICATIONS:**

A. Pre-Application Meeting:

A discussion with the Planning Director or designated member of staff must precede filing of this application. Among topics to be discussed are: Master Plan compatibility with the application, compatibility of proposed zone change with surrounding zoning classifications, and the application procedure.

B. Completed zoning application.

C. Application fee per schedule, made payable to the Flathead County Planning & Zoning Office (FCPZ).

D. The application must be accepted as complete by the FCPZ staff prior to the date of the planning board meeting at which it will be heard in order that requirements of state statutes and the zoning regulations may be fulfilled.

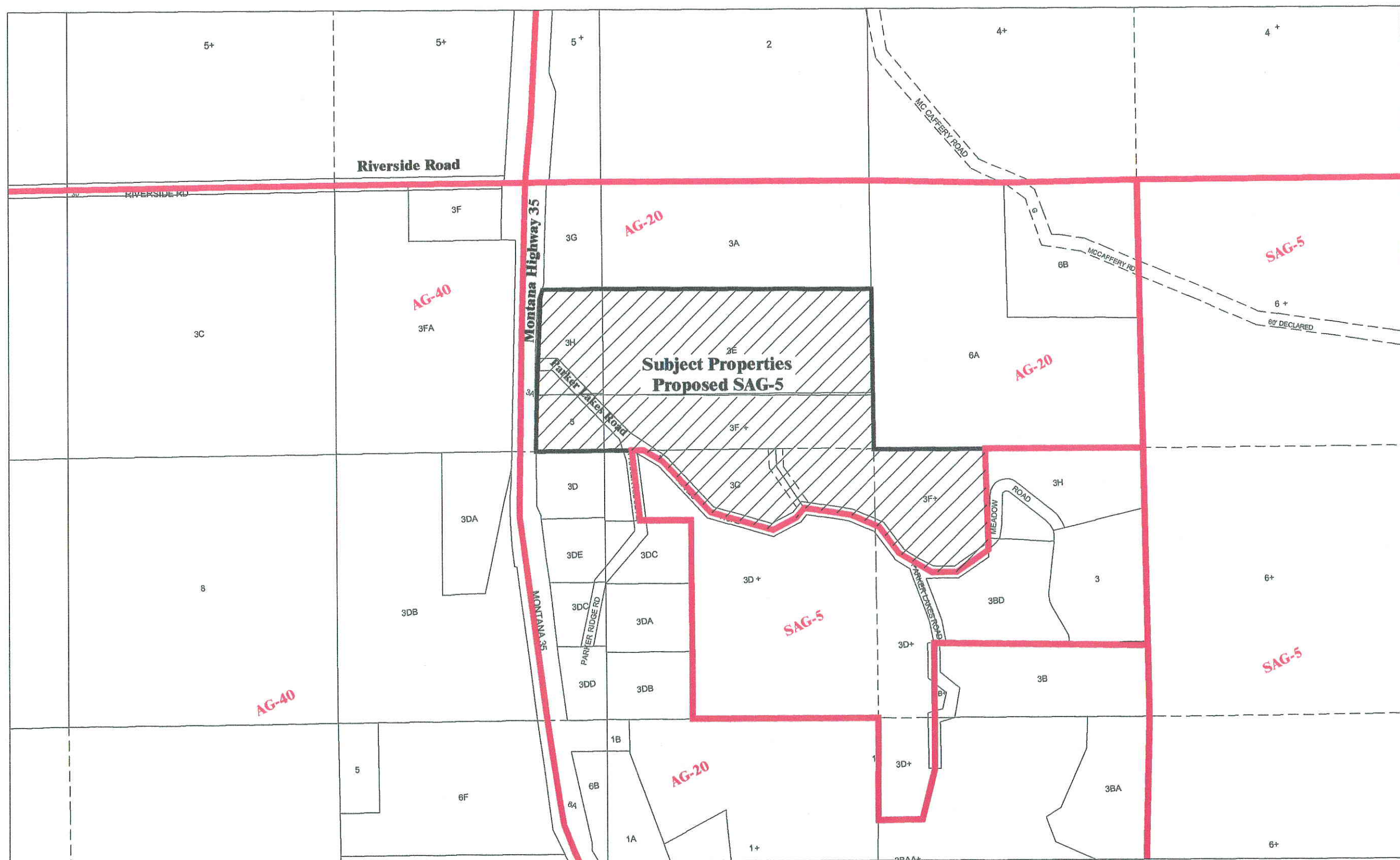
**APPLICABLE TO APPLICATIONS FOR ZONE CHANGE:**

A. Application Contents:

1. Completed Zone Change application (If submitting a bound copy of the application materials, please also include one **unbound** copy for replication purposes).
2. Petition for zone change signed by at least 50% of the property owners in the area for which the change in zoning classification is sought.
3. A map showing the location and boundaries of the property.
4. A Title Report of the subject property.
5. A **Certified** list of the names and mail addresses of all property owners within 150 feet of the subject property as shown on the Assessor's roll.

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**In Sections 11 & 12, T.27N., R.20W., P.M.,M., Flathead County, Montana**



DEC 10 2000